

## **REMARKS**

This Amendment responds to the Office Action dated December 31, 2008, in which the Examiner rejected claims 1-2, 4-6 and 8-12 under 35 U.S.C. § 103.

Claims 1 and 11 claim an input method and claims 5 and 12 claim an input apparatus. The method and apparatus include a touch panel laminated onto a display screen of a display apparatus. A sensor unit is formed so as to be expanded to an outside of one side of the display screen. An instruction, according to a touching position of a finger or touch pen onto the sensor unit, is given. A controller generates a control signal based on the instruction. A selection display is displayed when the finger or touch pad is touched to the sensor unit. A selection item is highlighted when the finger or touch pen is near the selection item as the finger or touch pen remains in contact with the sensor unit and is moved along the sensor unit. The highlighted selection item is selected upon lifting the finger or touch pen from contact with the sensor unit near the highlighted selection item. A selection display is cancelled when the finger or the touch pen remains in contact while being moved from the sensor unit to the display screen on the touch panel.

By cancelling a selection display when the finger or touch pen remains in contact while being moved from the sensor unit to the display screen, as claimed in claims 1, 5, 11 and 12, the claimed invention provides an input method and apparatus which can cancel an operation by merely touching and releasing the contact with the display screen. The prior art does not show, teach or suggest the invention as claimed in claims 1, 5, 11 and 12.

Claims 1-2, 4-6 and 8-12 were rejected under 35 U.S.C. § 103 as being unpatentable over *Beernink, et al.* (U.S. Patent No. 5,434,929) in view of *Dolan* (U.S. Patent No. 5,148,015) and further in view of *Dutta, et al.* (U.S. Publication No. 2002/0043204).

Applicants respectfully traverse the Examiner's rejection of the claims under 35 U.S.C. § 103. The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, Applicants respectfully request the Examiner withdraws the rejection to the claims and allows the claims to issue.

*Beernink, et al.* appears to disclose a close box 94 that allows a user to quit a session by selecting/tapping on the close box (Col. 9, lines 15-19). Nothing in *Beernink, et al.* shows, teaches or suggests canceling a selection display when a finger or touch pen remains in contact while being moved from a sensor unit to the display screen as claimed in claims 1, 5, 11 and 12. Rather, *Beernink, et al.* only discloses tapping a close box 94 to quit a session (i.e. close box closes the window 72 but not the pseudo keypad 24).

*Dolan* appears to disclose pressing a bar 12 to execute a desired function (Col. 5, lines 27-30). Nothing in *Dolan* shows, teaches or suggests canceling a selection display when a finger or touch pen remains in contact while being moved from a sensor unit to the display screen as claimed in claims 1, 5, 11 and 12. Rather, *Dolan* merely discloses pressing a bar 12 to select an item.

*Dutta, et al.* appears to disclose display cursor/pointer 602 points to host identifier 604 for an active connection [0069]. As pointer 602 moves over host identifier 604, the application detects the screen location of the pointer and retrieves the thumbnail information associated with host identifier 604. A pop-up box 606 contains data items for the associated host. As the user moves the cursor over other host identifiers, the pop-up box will open and close with the appropriate information [0070].

Thus, *Dutta, et al.* merely discloses moving a mouse in order to move a cursor/pointer 602 on the screen. Nothing in *Dutta, et al.* shows, teaches or suggests a finger or touch pen

remaining in contact while being moved from a sensor unit to a display screen as claimed in claims 1, 5, 11 and 12. Rather, the cursor/pointer 602 is merely a display item manipulated by a mouse and thus has no contact with a sensor unit or a display screen (*i.e.* the cursor/pointer 602 of *Dutta, et al.* is merely an icon moved about a screen and is not in contact with the screen).

Furthermore, *Dutta, et al.* merely discloses moving a cursor over other hosts to open and closer pop-up boxes. Nothing in *Dutta, et al.* shows, teaches or suggests movement from a sensor unit to a display screen as claimed in claims 1, 5, 11 and 12. Rather, *Dutta, et al.* merely moves the cursor on the screen to open or close pop-up boxes.

Finally, since *Dutta, et al.* merely discloses moving a pointer over a host identifier to retrieve thumbnail information, nothing in *Dutta, et al.* shows, teaches or suggests selecting an item by lifting a finger or touch pen from contact with a sensor unit as claimed in claims 1, 5, 11 and 12. Rather, *Dutta, et al.* only discloses hovering the pointer over a host identifier in order to retrieve information (*i.e.* open a pop-up box).

Applicants respectfully traverse the Examiner's statement "while the user is moving from one selection display to another, the user must pass over the display screen which is between the selection displays". Applicants respectfully point out that the cursor in *Dutta, et al.* is a display item which is moved around the display screen via a mouse. There is no contact involved in *Dutta, et al.* In other words, the cursor is not in contact with the display screen but are merely pixels of the display screen highlighted in such a way that the cursor appears to move about the screen corresponding to movement of a mouse. The pixels do not move, but merely change their highlighting to reflect movement of the mouse.

The combination of *Beernink, et al.*, *Dolan* and *Dutta, et al.* would merely suggest to replace the tapping motion of *Beernink, et al.* and the pressing of the bar of *Dolan* with the

cursor/pointer of *Dutta, et al.* Even assuming arguendo that the pointer of *Dutta, et al.* is replaced with touch pen of *Beernink, et al.*, the combination would merely suggest to tap the host identifier with the touch pen of *Beernink, et al.* (see *Beernink, et al.* column 7, lines 45-50, 54-60, column 8, lines 59-60, column 9, lines 15-19). Thus, nothing in the combination of the references shows, teaches or suggests (a) a finger or touch pen remaining in contact while being moved and (b) moving the finger or touch pen from a sensor area to a display screen while remaining in contact as claimed in claims 1, 5, 11 and 12. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 1, 5, 11 and 12 under 35 U.S.C. § 103.

Claims 2, 4, 6, and 8-10 recite additional features. Applicants respectfully submit that claims 2, 4, 6 and 8-10 would not have been obvious within the meaning of 35 U.S.C. § 103 over *Beernink, et al.*, *Dolan*, and *Dutta, et al.* at least for the reasons as set forth above. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 2, 4, 6, and 8-10 under 35 U.S.C. § 103.

New claims 13-20 have been added and recite additional features. Applicants respectfully submit that these claims are also in condition for allowance.

Thus, it now appears that the application is in condition for a reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

**CONCLUSION**

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, Applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 50-0320.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

Date: March 9, 2009

By: \_\_\_\_\_

A handwritten signature in black ink, appearing to read 'Ellen Marcie Emas', written over a horizontal line.

Ellen Marcie Emas  
Reg. No. 32,131  
(202) 292-1530